

FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

DIVISION

FILED

U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

Claude Edward Finley #101945

Jefferson County Correctional Facility

Pine Bluff, AK 71603

(Enter above the full name of the
plaintiff, or plaintiffs, in this
action.)

OCT 19 1998

JAMES W. MCCORMACK, CLERK

BY [Signature] DEPUTY CLERK

V.C.M.S. Health Care, Sue Guiri, Dr. Nick
South West Hospital, Mr. Williams Infirmary

CASE NO. **PB-C-98-471-1**

Major Lucky, Major Bell, Mrs. Lucky, Mrs. Macatee, Ms. Wallace Wardern

Sgt. Green, Sgt. Clorid, Arkansas Dept. of Correction.

(Enter above the full name of
defendant or defendants, in
this action.)

This case assigned to District Judge
and to Magistrate Judge

[Signature: Moody]
[Signature: Jordan]

I. Previous Lawsuits

- A. Have you begun other lawsuits in state or federal court
dealing with the same facts involved in this action?

Yes _____ No ✓

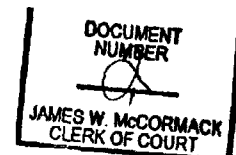
- B. If your answer to A is yes, describe each lawsuit in
the space below. (If there is more than one lawsuit,
describe the additional lawsuits on another piece of
paper, using the same outline.)

1. Parties to this lawsuit

Plaintiffs: _____

Defendants: _____

2. Court (if federal court, name the district; if state
court, name the county: _____



3. Docket Number: N/A
4. Name of judge to whom case was assigned: N/A
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?): N/A
6. Approximate date of filing lawsuit: Just filed
7. Approximate date of disposition: Just filed

II. Place of Present Confinement: Jefferson County Correctional Facility

III. There is a prisoner grievance procedure in the Arkansas Department of Correction. Failure to complete the grievance procedure may affect your case in federal court.

- A. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes ☒ No ☐

- B. If your answer is YES, Attach copies evidencing completion of the final step of the grievance appeal procedure. FAILURE TO ATTACH THE REQUIRED COPIES MAY RESULT IN THE DISMISSAL OF YOUR COMPLAINT.

- C. If your answer is NO, explain why not: _____

IV. Parties

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

- A. Name of plaintiff: Claude Finley # 101945

Address: Jefferson County Correctional Facility
Pine Bluff AR, 71603

Name of plaintiff: _____

Address: _____

Name of plaintiff: _____

Address: _____

(In item B below, place the full name of the defendant in the first blank, his official position in the second blank, his place of employment in the third blank, and his address in the fourth blank.)

Defendant: C.M.S. Health Care
Position : Coenectional Medical Service
Place of employment: P.O. Box 240 Tucker Ark, 72168-0240
Address: St. Louis Missouri

Defendant: Sue Guire
Position : Asst. Warden
Place of employment: Tucker Ark, Tucker Unit
Address: P.O. Box 240, Tucker, AR 72168-0240

Defendant: DR. Nick
Position : Orthopedic Doctor
Place of employment: Southwest Hospital
Address: N/A

Defendant: Major Lucky
Position : Major
Place of employment: Tucker Unit
Address: P.O. Box 240, Tucker, AR 72168-0240

Defendant: Mr. Williams
Position : Head of the Infirmary
Place of employment: Tucker Unit
Address: P.O. Box 240, Tucker, AR, 72168-0240

IV. statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

Attached sheet

V. Relief

State briefly exactly what you want the court to do for you.
Make no legal arguments. Cite no cases or statutes.

Wherefore, Plaintiff pray for Relief in this amended complaint.

1) That this court enter a declaration judgement which declares that the Acts or omissions of the defendants violated the Rights of Plaintiff to be free from Cruel and Unusual Punishment, Conspiracy act, Retaliation, guaranteed by the Eight and Fourteenth Amendments and Fifth Amendment to Equal Protection clause of the Constitution of the United States. 2) That the Court Award of Plaintiff compensatory and punitive damages. Against the defendant.

Jointly and severally in the amount of ~~Three hundredth and fifty~~ ^{Thousands dollar}

I declare under penalty of perjury (18 U. S. C. § 1621 that the foregoing is true and correct.

Executed on this 7 day of October, 1998.

Clarde Finley #101945

Jefferson County Correctional

Facility Pine Bluff Ark, 71603

Signature(s) of plaintiff(s)

DEFENDANT. Major Bell
 POSITION. Field major
 place of employment. Tucker Unit
 ADDRESS. P.O. Box 240, Tucker Unit ARK, 72168-0240

DEFENDANT. Mrs. Lucky
 POSITION. Head of the classification Committee
 place of employment. Tucker Unit
 ADDRESS. P.O. Box 240, Tucker ARK, 72168-0240

DEFENDANT. Mrs. Macatee
 POSITION. Captain of the kitchen
 place of employment. Tucker Unit
 ADDRESS. P.O. Box 240, Tucker ARK, 72168-0240

DEFENDANT. Sgt. Green
 POSITION. officer at Tucker Unit Sgt
 place of employment. Tucker Unit
 ADDRESS. P.O. Box 240, Tucker ARK, 72168-0240

DEFENDANT. Sgt. Clorid
 POSITION. Sgt
 place of employment. Tucker Unit
 ADDRESS. P.O. Box 240, Tucker ARK, 72168-0240

DEFENDANT. Ms. Wallace
 POSITION. Wardcan
 place of employment. Tucker Unit
 ADDRESS. P.O. Box 240, Tucker ARK, 72168-0240

DEFENDANT. _____
 POSITION. _____
 place of employment. _____
 ADDRESS. _____

DEFENDANT. _____
 POSITION. _____
 place of employment. _____
 ADDRESS. _____

DEFENDANT. _____
 POSITION. _____
 place of employment. _____
 ADDRESS. _____

DEFENDANT. _____
 POSITION. _____
 place of employment. _____
 ADDRESS. _____

DEFENDANT. _____
 POSITION. _____
 place of employment. _____
 ADDRESS. _____

Claude Finney #101945
10/7/98

①

In the month of 11/97, I entered the Diagnostic Unit in Pine Bluff Ark, which is the Arkansas Department of Correction. I was seen by the state doctor there, which the doctor classified me as Medical "M4". Because I entered with my right leg broken in "3" places, and I also had a "Rod" placed inside my leg, from there I was transferred to Jefferson County Jail Correctional Facility. I went before a Classification Committee at this unit, and I was ~~classified~~ ^{classified} as Medical Unassigned because of my broken leg. After being at J.C.J.C.F., I was transferred to Tucker Unit in Tucker Ark to take a Comput Class. I went before a Classification Committee there and I was assigned to Voc-tex, and I was still "M4+" No Job. could not work because of broken leg. In this Voc-tex class I would just be using my hands and head to work the computer, they the Committee said I could take the class because it wouldn't interfere with my broken leg.

So after about a month in the Voc-tex class I decided I was not ~~interested~~ in the class anymore so I dropped out. I went back in front of the Classification Committee, my medical problem had not changed, my leg was still healing, I still had a "Cast" on my leg and I was still on "Crutches". While I were in this Classification meeting, "Sue Guier" the asst. Warden assigned ^{me} as Building Utility, and told me my job was to clean up the barracks in which I lived in, I explained to her that I had not been released by the doctor yet, and that my leg was not healed yet, and that I was not able to work yet. She told me that everybody at Tucker unit has a job and mine was to clean up the barracks. At this time I was

②

Standing in front of Mrs. Guirel on "Crutches" and
 with a "Cast" on my right leg. I then turned to Mr. William
 who at the time was representing the Infirmary, he had
 all my medical records in front of him. I ask him to explain
 my medical situation to the Committee, he never said a word.
 So I was given a order to leave the meeting because I had
 received my job. ~~About~~ ^{About} a month later Sgt Green and
 Sgt Clorid told me to get out of bed and help clean up the
 barracks or they would have to write me up and put me in the
 hole, so I was forced to work on my broken leg, as a result
 in me working on this broken leg. My bone came apart the
 "Rod" inside my leg broke in half. I was taken to have X Ray's
 at Southwest Hospital, and the X Ray's showed that my leg had
 Refractured ~~Refractured~~ it self and the "Rod" had broken in half. "Dr. Wick" at
 Southwest Hospital said he was not going to operate on my
 leg because I had too much hardware damage. So a month
 went by and I still had not had this operation that I needed.
 So I was sent to "Dr. Tucker" at ARK Sports Medicine
 who had did the operation on my leg before I entered the A.D.C.
 He explained to me and wrote in my medical Jacket, that
 I needed an operation on my leg to repair the damage that
 had been done. He said he would have me back in a month
 to do the operation, well a month went by and I was not
 taken to have this operation. So after writing many General
 aces I was finally taken to U.A.M.S. Hospital, I was seen
 by a Surgeon who said he would do the operation. So a date
 was set for "6-27-98" this date was canceled, another date
 was set for 7-10-98 and this date was canceled, so another

⑦

Dated was set for "7-17-98" and it was canceled, no one never told me why. So after writing more Grievance I was "shipped" back to J.C.J.C.F., because Tucker did not want to handle my medical problem. So after arriving at J.C.J.C.F. a month had went by and I still had not been taken to the hospital to have this operation. So after writing more Grievance I was sent to Dr. Tucker at Doctor's Hospital in Little Rock to have my operation. On 8/24/1998 I was put to sleep to have my operation on my leg, after putting me asleep Dr. Tucker could not do the operation because my broken bone had grew over my broken Rod, and a special machine had to be ordered in order to do the operation. So I return on 8/27/1998 and doctor Tucker did my second operation and now I am still in recovery at J.C.J.C.F.

Wherefore, Plaintiff pray for Relief in this amended Complaint. 1) That this court enter a declaration judgement which declares that the acts or omissions of the defendants violate the Rights of Plaintiff to be free from cruel and unusual Punishment, Conspiracy act, Retaliation, guaranteed by the Eight and Fourteen Amendments, and Fifth Amendment to Equal Protection clause of the Constitution of the United States. 2) That the Court award Plaintiff Compensatory and punitive damages. Against the defendants jointly and severally in the Amount of Three hundredth and fifty thousand Dollars \$350,000. I declare under penalty of perjury (18 U. S. C. 1621) that the foregoing is true and correct.

Executed on this 7 day of October 1998

Claude Finley #101945.

(4)

I Claude Finley would like to state the fact that I wrote my first Grievance on "5-14-98" concerning my medical problems. I did not receive any communication from the Infirmary until "9-9-98" this was after I had already had my operation which was on 8-27-98,

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

*Exhibits Attached
to Original
Document in
Court's Case File*